

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON

RYAN GRAVES, individually and on behalf)
of the Putative Class of similarly situated)
individuals,)

Case No. 2:11-CV-01259

Plaintiff,)

v.)

MICROSOFT CORPORATION, and DOES 1)
through 50)

**STIPULATION AND [PROPOSED]
ORDER REGARDING DISCOVERY
PLAN AND PRETRIAL DEADLINES**

Defendant.)

STIPULATION

As the Court requested at a status conference held on November 22, 2011 (ECF No. 21), the parties stipulate to the discovery schedule and pretrial deadlines set forth in their Status Report and Joint Discovery Plan (ECF No. 20):

1. On Plaintiff's motion for class certification:

a. Either party who intends to affirmatively present expert testimony in support of or in opposition to certification will identify such experts and disclose their reports by April 2, 2012;

b. Either party who intends to offer rebuttal experts will identify such experts and disclose their reports by May 16, 2012;

c. The parties will exchange any and all discovery which they intend to use in support of or in opposition to class certification by June 15, 2012;

d. Plaintiff will file his motion for class certification by June 29, 2012;

e. Defendant will file its opposition to Plaintiff's motion for class certification by August 3, 2012; and

f. Plaintiff will file his reply brief in support of his motion for class certification by August 20, 2012.

2. After the Court's ruling on the class certification issue:

a. Non-Expert Discovery Closes: March 29, 2013;

b. Merits Expert Disclosures: If Plaintiff intends to use expert testimony at trial, such expert(s) must be identified and their reports disclosed pursuant to Fed R. Civ. P. 26(a)(2) no later than April 15, 2013. If Defendant intends to use expert testimony at trial, such expert(s) must be identified and their reports disclosed pursuant to Fed R. Civ. P. 26(a)(2) no later than June 14, 2013. Plaintiff's rebuttal expert reports, if any, must be disclosed pursuant to Fed. R. Civ. P. 26(a)(2) no later than June 28, 2013;

c. Expert discovery closes: July 12, 2013 (120 days prior to the scheduled trial date);

d. Dispositive Motions Deadline: Dispositive motions shall be filed no later than August 12, 2013 (90 days prior to the scheduled trial date);

e. Plaintiff's Pretrial Statement: Plaintiff's pretrial statement shall be served no later than September 13, 2013 (30 days prior to the date for filing the proposed pretrial order);

f. Defendant's Pretrial Statement: Defendant's pretrial statement shall be served no later than September 24, 2013 (20 days prior to the date for filing the proposed pretrial order);

g. Proposed Pretrial Order: The proposed pretrial order shall be filed on October 14, 2013 (30 days prior to the scheduled trial date); and

h. Trial: November 12, 2013.

STIPULATED AND AGREED this 28th day of November, 2011.

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DAVIS WRIGHT TREMAINE LLP

s/Rebekah L. Bailey

s/Stephen M Rummage

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Corporation*

ORDER

IT IS SO ORDERED.

The parties shall adhere to the schedule set forth in the foregoing stipulation.

Dated: November _____, 2012.

John C. Coughenour
United States District Judge

1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF WASHINGTON

3
4 CERTIFICATE OF SERVICE

5 *Graves v. Microsoft Corp.*

6 Court File No.: 2:11-cv-01259

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8 The undersigned certifies under penalty of perjury under the laws of the State of
9 Washington and the United States that on this day, I electronically filed a true and accurate copy
10 of the document to which this certification is affixed with the Clerk of the Court using the
11 CM/ECF System, which will send notification of such filing to the following:

12 Beth E Terrell: bterrell@tmdwlaw.com, bkinsey@tmdwlaw.com, enordby@tmdwlaw.com,
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24
25 Executed on November 28, 2011

s/ Rebekah L. Bailey

26 Rebekah L. Bailey